

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	NO. 3:CR-15-108
)	
v.)	
)	(JUDGE CAPUTO)
DARIAN TENSLEY,)
Defendant.)	(ELECTRONICALLY FILED)

BRIEF OF UNITED STATES IN OPPOSITION
TO DEFENDANT'S PRO SE MOTIONS

AND NOW, comes the United States of America, by and through
PETER J. SMITH, UNITED STATES ATTORNEY, and Todd K.
Hinkley, Assistant U.S. Attorney, and states:

I. PROCEDURAL HISTORY

On June 2, 2015, a Federal Grand Jury sitting in Scranton,
Pennsylvania returned an indictment charging Darian Tensley with
assaulting a corrections officer in violation of Title 18, United States
Code, Sections 11(a) and (b).

The defendant is represented by counsel, Ingrid Cronin, Esquire,
who was appointed to represent Tensley by this Honorable Court.
Despite being represented by counsel, the defendant has filed pro se
motions to dismiss the indictment on November 30, 2015.

The Government argues that the pro se motions should be denied
summarily, and does not intend to file answers or briefs in opposition
thereto.

II. ARGUMENT

The Court is not required to review or address motions filed *pro se* by a represented person. *United States v. Vampire Nation*, 451 F.3d 189 at 206 (3d Cir. 2006). The Government does not intend to file answers or briefs in opposition to the *pro se* motion filed by the defendant, who is represented by competent counsel. The Government requests this Honorable Court to summarily deny the *pro se* motion, as spurious.

III. CONCLUSION

For the above stated reasons, the United States requests this Court to deny the defendant's *pro se* Motion To Dismiss Indictment.

Respectfully submitted,

PETER J. SMITH
United States Attorney

s/ Todd K. Hinkley
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CERTIFICATE OF SERVICE

In accordance with Local Rule 7.2, I hereby certify that I served the foregoing Brief on the defendants by causing a true copy to be transmitted to counsel of record by electronic filing.

Respectfully submitted,

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United States Attorney

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